

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:
STEVEN C. BRUESS
MERCHANTS & GOULD P.C.
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

PCT

NOTIFICATION OF TRANSMITTAL OF
INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

(PCT Rule 71.1)

Date of Mailing (day/month/year)	31 JAN 2005
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Applicant's or agent's file reference

IMPORTANT NOTIFICATION

758.1477AVQA

International application No.	International filing date (day/month/year)	Priority date (day/month/year)
PCT/US03/38822	05 December 2003 (05.12.2003)	06 December 2002 (06.12.2002)

Applicant

DONALDSON COMPANY, INC.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/US
Mail Stop PCT, Attn: IPEA/ US
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
Facsimile No. (703) 305-3230

Authorized officer

Duane S. Smith
Telephone No. 571-272-0987

TO:
 STEVEN C. BRUESS
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UNITED STATES DESIGNATED/ELECTED OFFICE
 (DO/EO/US)

**NOTIFICATION OF STATUS OF
 REQUIREMENTS UNDER 35 U.S.C. 371**

DATE OF MAILING
 (day/month/year)

13 Feb 2004

FILE REFERENCE

758.1472WOI1

IDENTIFICATION OF INTERNATIONAL APPLICATION

International application No.	International filing date (day/month/year)	Priority Date Claimed
PCT/US03/38822	05 Dec 2003	06 Dec 2002

Applicant for DO/EO/US

READ, BRIAN

NOTIFICATION

The applicant is hereby advised that the U.S. Patent and Trademark Office in its capacity as Designated Office Elected Office has received following items as of the date of mailing indicated above.

1. U.S. Nation fee [35 U.S.C 371 (c) (1)]
2. Oath of declaration [35 U.S.C 371 (c) (4)]
3. Copy of International application as [35 U.S.C 371 (c) (2)]
4. Translation of Application [35 U.S.C 371 (c) (2)]
5. Amendments under PCT Article 19 [35 U.S.C 371 (c) (3)]
6. Translation of PCT Article 19 Amendments [35 U.S.C 371 (c) (3)]
7. Search Report or Declaration under PCT Article 17(2) [35 U.S.C 371 (a)]
8. International Preliminary Examination Report and its Annexes, if any, under PCT Article 36(3)(b) [35 U.S.C 371 (a)]
9. Translation of Annexes to the International Preliminary Examination Report under PCT Article 36(3)(b) [35 U.S.C 371 (c) (5)]
10. Other items received:
 - Assignment Document Prior Art Statement Preliminary Amendment

A. Requirements for U.S. National processing have been met. Processing will commence

- at the expiration of the applicable time limit under either
 - PCT Article 22 [35 U.S.C 371 (b)] or
 - PCT Article 39 [35 U.S.C 371 (b)]
- on the date indicated below under the provisions of 35 U.S.C 371 (f)

U.S. NATIONAL SERIAL#

DATE UNDER 35 U.S.C. 102(e)

DATE OF COMMENCEMENT
 OF NATIONAL PROCESSING

All correspondence submitted after the date of commencement of U.S. National processing indicated above should refer to the U.S. National Serial Number and the appropriate U.S. National processing organization or Officer.

B. As the above identified application has been accepted for U.S. National processing under the provision of 35 U.S.C.371 (f) before expiration of the applicable time limit under PCT Article 22 PCT Article 39, applicant is reminded that

- Amendments under PCT Article 19 and/or
- the International Preliminary Examination Report and its Annexes, if any, under PCT Article 36(3)(a), and (b) and any translation thereof, if applicable, must be submitted to the Patent and Trademark Office as soon as they are available.

International application No. PCT/US03/38822	International filing date 05 Dec 2003	Priority Date Claimed 06 Dec 2002
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C. In order that U.S. National processing may begin, certain items must be received by the DO/EO/US by the expiration of applicable time limit under

PCT Article 22 or
 PCT Article 39.

Specifically:

1. U.S. National Fee
 2. Oath or Declaration
 3. Copy of Application
 4. Translation of application
 5. Amendments under PCT Article 19, if any
 6. Translation of PCT Article 19 Amendments, if applicable
 7. Search Report or PCT Article 17(2) declaration
 8. International Preliminary Examination Report and its Annexes, if any, under PCT Article 36(3)(a), if applicable
 9. Translation of Annexes to the International Preliminary Examination Report under PCT Article 36(3)(b), if applicable

**THE ABOVE CHECK ITEMS MUST BE TIMELY RECEIVED TO AVOID ABANDONMENT OF THE APPLICATION.
 /35. U.S.C. 371(d)/**

D. Further information for the applicant:

This is only a reminder.

UNITED STATES DESIGNATED/ELECTED OFFICE

Address Only: Mail Stop PCT, Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450	Authorized Officer Marilyn Younger 703-305-3753
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PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 758.1472WOI1	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/US03/38822	International filing date (day/month/year) 05 December 2003 (05.12.2003)	Priority date (day/month/year) 06 December 2002 (06.12.2002)
International Patent Classification (IPC) or national classification and IPC IPC(7): B01D 46/00,50/00 and US Cl.: 095/268; 055/319,320,337		
Applicant DONALDSON COMPANY, INC.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

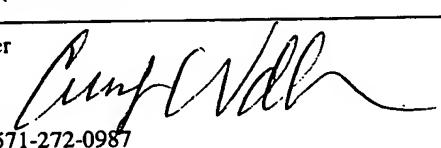
2. This REPORT consists of a total of 3 sheets, including this cover sheet.

This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of ___ sheets.

3. This report contains indications relating to the following items:

- I Basis of the report
- II Priority
- III Non-establishment of report with regard to novelty, inventive step and industrial applicability
- IV Lack of unity of invention
- V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI Certain documents cited
- VII Certain defects in the international application
- VIII Certain observations on the international application

Date of submission of the demand 29 June 2004 (29.06.2004)	Date of completion of this report 19 January 2005 (19.01.2005)
Name and mailing address of the IPEA/US Mail Stop PCT, Attn: IPEA/ US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230	Authorized officer Duane S. Smith Telephone No. 571-272-0987 

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US03/38822

I. Basis of the report

1. With regard to the elements of the international application:*

 the international application as originally filed. the description:

pages 1-25 as originally filed

pages NONE, filed with the demandpages NONE, filed with the letter of _____. the claims:

pages 26-29, as originally filed

pages NONE, as amended (together with any statement) under Article 19pages NONE, filed with the demandpages NONE, filed with the letter of _____. the drawings:

pages 1-11, as originally filed

pages NONE, filed with the demandpages NONE, filed with the letter of _____. the sequence listing part of the description:pages NONE, as originally filedpages NONE, filed with the demandpages NONE, filed with the letter of _____.

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

 the language of a translation furnished for the purposes of international search (under Rule 23.1(b)). the language of publication of the international application (under Rule 48.3(b)). the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

 contained in the international application in printed form. filed together with the international application in computer readable form. furnished subsequently to this Authority in written form. furnished subsequently to this Authority in computer readable form. The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished. The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.4. The amendments have resulted in the cancellation of: the description, pages NONE the claims, Nos. NONE the drawings, sheets/fig NONE5. This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/US03/388

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. STATEMENT

Novelty (N)	Claims 1-20	YES
	Claims NONE	NO
Inventive Step (IS)	Claims 4-19	YES
	Claims 1-3,20	NO
Industrial Applicability (IA)	Claims 1-20	YES
	Claims NONE	NO

2. CITATIONS AND EXPLANATIONS

Claims 1-3,20 lack an inventive step under PCT Article 33(3) as being obvious over either Read(US Patent No. 6,136,076) or Linnersten et al(US Patent No. 6,485,535).

Read teaches a gas/liquid separator(10) including a vessel(10) having an outer wall(11), a gas flow inlet(19) and a lower sump(12); preseparation assembly including a radially continuous axial shroud(14), and a mounting space for a separator element(16). Read does not disclose the axial shroud extending along a distance of 20-60% of the axial length of the mounting space. However, the mere optimization of distance to provide increased efficiency of separation of liquid from the gas is well within the scope of one of ordinary skill in the art. Where patentability is said to be based upon particular chosen dimensions or upon another variable recited in a claim, applicant must show that the chosen dimensions are critical. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the axial length of the shroud of Read in order to enhance the separation efficiency of the gas inlet flow.

Linnersten et al teaches a gas/liquid separator(10) including a vessel having an outer wall(11), a gas flow inlet(17) and a lower sump(12); preseparation assembly including a radially continuous axial shroud(20), a mounting space for a separator element(21). Linnersten et al does not disclose the axial shroud extending along a distance of 20-60% of the axial length of the mounting space. However, the mere optimization of distance to provide increased efficiency of separation of liquid from the gas is well within the scope of one of ordinary skill in the art. Where patentability is said to be based upon particular chosen dimensions or upon another variable recited in a claim, applicant must show that the chosen dimensions are critical. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the axial length of the shroud of Linnersten et al in order to enhance the separation efficiency of the gas inlet flow.

Claims 4-19 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest the claimed features of dependent claims 4-19 in combination with the features of the independent claim and any intervening claims.

Claims 1-20 meet the criteria set out in PCT Article 33(4), and thus the gas/liquid separator has industrial applicability because the subject matter claimed can be made or used in industry.